



U.S. Department of Justice

Environment and Natural Resources Division

DJ#90-11-2-1109

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March 3, 1998

VIA OVERNIGHT MAIL

US EPA RECORDS CENTER REGION 5



470036

Charles M. Denton, Esquire
Varnum, Riddering, Schmidt & Howlett, L.L.P.
Bridgewater Place
333 Bridge Street, N.W.
Grand Rapids, Michigan 49504

Re: United States v. City of Albion, Michigan,
Civ. No. 1:97-CV-1037 (W.D. Mich.) -
Stipulation/Order for Extension of Time for the United States
to Respond to City of Albion's First Discovery Requests.

Dear Mr. Denton:

Enclosed is an original of the above-referenced Stipulation/Order extending the time in which the United States may respond to the City of Albion's discovery requests to March 27, 1998.

As we discussed by telephone yesterday, it is my understanding that you will execute the Stipulation/Order and deliver the executed original to Francesca Ferguson, Assistant United States Attorney for the Western District of Michigan, 333 Ionia Ave., N.W., Suite 501, Grand Rapids, Michigan 49503, for her signature and filing with the Clerk of Court on or before March 5, 1998 in the above-referenced action.

Thank you for your cooperation and assistance in this matter. If there are any questions, please do not hesitate to call.

Sincerely,

Lois J. Schiffer
Assistant Attorney General
Environment and Natural Resources
Division

By:

Francis J. Barros
Francis J. Barros
Trial Attorney

cc: Fax:

Francesca Ferguson, Asst. U.S. Attorney - W.D. Michigan.
Kathleen K. Schnieders, Asst. Regional Counsel, U.S. EPA.

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF ALBION, MICHIGAN,

Defendant.

Civil Action No. 1:97-CV-1037

HON. DAVID W. McKEAGUE

STIPULATION AND ORDER FOR EXTENSION OF TIME FOR THE UNITED STATES
TO RESPOND TO CITY OF ALBION'S FIRST DISCOVERY REQUESTS

Pursuant to Fed. R. Civ. P. 6(b), Plaintiff, United States of America, has requested and counsel for Defendant, City of Albion, has agreed to an extension of time through and including March 27, 1998, within which to respond to Defendant's First Set of Interrogatories, First Request for Production of Documents and First Requests for Admissions. The additional time is necessary for Plaintiff to compile documents and information responsive to Defendant's discovery. This agreement for an extension of time was entered into prior to the expiration of the time for service of Plaintiff's response to Defendant's discovery as provided by the Fed. R. Civ. P.

Respectfully submitted,

FOR THE UNITED STATES OF AMERICA:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources
Division
United States Department of Justice

MICHAEL H. DETTMER
United States Attorney
Western District of Michigan

DATE

W. FRANCESCA FERGUSON
Assistant United States Attorney
Western District of Michigan
333 Ionia Avenue, N.W.
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Grand Rapids, Michigan 49503
(616) 456-2404

FRANCIS J. BIROS
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Environmental Enforcement Section
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United States Department of Justice
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Washington, D.C. 20044-7611
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OF COUNSEL:

KATHLEEN K. SCHNIEDERS
Assistant Regional Counsel
U.S. Environmental Protection Agency - Region V
77 West Jackson Boulevard
Chicago, Illinois 60604
(312) 353-8912

FOR THE CITY OF ALBION, MICHIGAN:

Varnum, Riddering, Schmidt &
Howlett, L.L.P.

DATE

CHARLES M. DENTON (P33269)
MARK M. DAVIS (P43529)
Business Address and Telephone:
Bridgewater Place, P.O. Box 352
Grand Rapids, Michigan 49501-0352
(616)336-6000

ORDER

At a session of said Court held in the Federal
Building, City of Grand Rapids, County of Kent,
State of Michigan, this ____ day of March, 1998.

PRESENT: HONORABLE DAVID W. McKEAGUE
U.S. District Judge

IT IS SO ORDERED in accordance with the above Stipulation.

Honorable David W. McKeague
U.S. District Judge

E.S.
03/03/98



U.S. Department of Justice

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IF THERE ARE PROBLEMS WITH THIS TRANSMISSION, PLEASE CALL

(NAME AND TELEPHONE NUMBER)

TO: KATHLEEN SCHNIEDERS

FROM: FRANK BROS

NUMBER OF PAGES (INCLUDING COVER SHEET): 5

DATE: 3-3-98 TELEFAX #: 312-886-0747

CONFIRMATION #: 202-616-6552

MESSAGE: